

64-13-17 Visitors to correctional facilities -- Correspondence.

- (1)
- (a) The following persons may visit correctional facilities without the consent of the department:
 - (i) the governor;
 - (ii) the attorney general;
 - (iii) a justice or judge of the courts of record;
 - (iv) members of the Board of Pardons and Parole;
 - (v) members of the Legislature;
 - (vi) the sheriff, district attorney, and county attorney for the county in which the correctional facility is located; and
 - (vii) any other persons authorized under rules prescribed by the department or court order.
 - (b) Any person acting under a court order may visit or correspond with any inmate without the consent of the department provided the department has received notice of, and is permitted to respond to, the court order. The court shall consider department policy when making its order.
 - (c) The department may limit access to correctional facilities when the department or governor declares an emergency or when there is a riot or other disturbance.
- (2)
- (a) A person may not visit with any offender at any correctional facility, other than under Subsection (1), without the consent of the department.
 - (b) Offenders and all visitors, including those listed in Subsection (1), may be required to submit to a search or inspection of their persons and properties as a condition of visitation.
- (3) The department shall make rules under Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing guidelines for providing written notice to visitors regarding prohibited items and regarding the fact that under state law all visitors may be required to submit to a search of their persons and properties as a condition of visitation.
- (4) Offenders housed at any correctional facility may send and receive correspondence, subject to the rules of the department. All correspondence is subject to search, consistent with department rules.

Amended by Chapter 382, 2008 General Session